



60,469-209

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Luis Marti *et al.*
Serial Number: 10/529,079
Filed: 10/09/2002
U.S. National Stage Entered: 03/24/2005
Group Art Unit: 2837
Examiner: Colon Santana, Eduardo
Title: COMBINED ELEVATOR GUIDING AND
SAFETY BRAKING DEVICE

PETITION FOR WITHDRAWAL OF NOTICE OF ABANDONMENT
UNDER 37 C.F.R. 1.181(a)
AND
CONDITIONAL PETITION TO REVIVE
UNINTENTIONALLY ABANDONED APPLICATION
UNDER 37 C.F.R. 1.137(b)

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Fax: 1-571-273-2885

Dear Sir:

A notice of abandonment for this application was mailed on January 29, 2008. Applicants respectfully request withdrawal of the holding of abandonment under 37 CFR §1.181(a).

On November 13, 2007, Applicants submitted an Issue Fee Transmittal form (copy attached as Exhibit A). Along with that Issue Fee Transmittal form, Applicants submitted a Credit Card Payment Form (copy attached as Exhibit B with a notation to disguise the credit card

02/14/2008 FHETEK12 00000123 501482 10529079

01 FC:1453 1540.00 DA

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date: 03/25/2008
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14, 2007 (Exhibit D). Applicants respectfully request that the Patent Office process the attached Credit Card Payment Form to complete the payment of the issue fee for this application after withdrawing the Notice of Abandonment.

In the event that the Commissioner is not satisfied that Applicants have already taken sufficient steps to pay the entire issue and publication fee and that the Notice of Abandonment was improper, Applicants hereby conditionally petition to have this application revived under 37 CFR 1.137(b). This application, to the extent that it was abandoned, was unintentionally abandoned. As described above, Applicants intended to pay the issue fee but unintentionally indicated an incorrect amount on the credit card form (Exhibit B). Upon receiving the Notice of Abandonment, Applicants promptly took steps to file this submission. Any delay between receiving the Notice of Abandonment and filing this submission was unintentional.

To the extent that the Commissioner believes that a petition under 37 CFR 1.137(b) is required, the Commissioner is hereby authorized to charge the petition fee of \$1,540.00 to deposit account number 50-1482 in the name of Carlson, Gaskey & Olds. The Commissioner is authorized to charge deposit account number 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

As mentioned above, a credit card payment form authorizing the patent office to charge the \$1610.00 balance due on the issue and publication fee is enclosed.

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Applicants respectfully request that the issue fee payment be processed and this application proceeds to being issued in due course.

Respectfully submitted,

CARLSON, GASKEY & OLDS

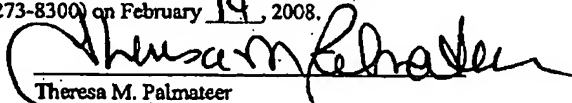
By: 

David J. Gaskey
Registration No. 37,139
400 W. Maple Rd., Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: February 14, 2008

CERTIFICATE OF FACSIMILE

I hereby certify that this Petition, relative to Application Serial No. 10/529,079 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on February 14, 2008.


Theresa M. Palmateer

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UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>03/25/08</u>		2 Serial/Patent # <u>10/529,079</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
	Extension of Time			\$								
	Notice of Appeal/Appeal			\$								
X	Petition 1453		02/14/08	\$ 1,540.00								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
			7 TOTAL AMOUNT OF REFUND		\$ 1,540.00							
			8 TO BE REFUNDED BY:									
10 REASON:			Treasury Check									
	Overpayment	X Credit Deposit A/C #:										
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> <td style="width: 20px;">--</td> <td style="width: 20px;">1</td> <td style="width: 20px;">4</td> <td style="width: 20px;">8</td> <td style="width: 20px;">2</td> </tr> </table>				5	0	--	1	4	8	2
5	0	--	1	4	8	2						
X	No Fee Due (Explanation):											
Petition to revive dismissed as moot.												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: <u>Douglas I. Wood</u>		TITLE: <u>Senior Petitions Attorney</u>										
SIGNATURE: <u>/douglas wood/</u>		PHONE: <u>571-272-3231</u>										
OFFICE: <u>Office of Petitions</u>												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED: <u></u>		DATE: <u>3/25/08</u>										

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: